

**CITY OF BRIDGEPORT  
EDUCATION AND SOCIAL SERVICES  
REGULAR MEETING  
JUNE 11, 2014**

**ATTENDANCE:** Rev. Mary McBride-Lee, Co-Chair; Rick Torres, Robert Halstead, Milta Feliciano, Council President Thomas McCarthy

**OTHERS:** Jorge Garcia, Public Facilities; City Attorney Mark Anastasi; Judge Carmen Lopez; John Bagley, BOE Member

**CALL TO ORDER**

Rev. McBride-Lee called the meeting to order at 6:39 p.m. A quorum was present.

**APPROVAL OF COMMITTEE MINUTES OF MAY 22, 2014 (SPECIAL MEETING)**

**\*\* COUNCIL MEMBER FELICIANO MOVED THE MINUTES OF MAY 22, 2014 SPECIAL MEETING.**

**\*\* COUNCIL PRESIDENT MCCARTHY SECONDED.**

**\*\* THE MOTION TO APPROVE THE MINUTES OF MAY 22, 2014 SPECIAL MEETING AS SUBMITTED PASSED UNANIMOUSLY.**

**106-13 Grant Submission: re Proposed Resolution for the creation of a Replacement Roofing Project at the Thomas Hooker School.**

Mr. Garcia explained when they noticed the pointing on the chimneys at Hooker School, they discovered that the bricks are cracked on the inside of the chimney and will need to be addressed immediately. He said that the cost is estimated to be \$800,000. Mr. Garcia spoke with the State who have agreed to a 80%-20% match.

He was asked if this was part of the original Capital request. Mr. Garcia said that this was not part of the Capital request. He added he would have to follow up with Mr. Sherwood to verify that there would be 20% available for the matching portion.

Mr. Garcia said that the roof was in poor conditions. Council Member Torres asked how old the roof was. Mr. Garcia said that it was a sloped roof and it was 32 years old. Council Member Torres asked if the Bassick roof would be put off for this project. Mr. Garcia said that the Bassick roof would be going forward. Council President McCarthy asked how the City got the 80% - 20% split. Mr. Garcia said that it was an emergency repair.

Council Member Halstead said that it was not clear if the City Council had already established a Building Committee and referred to a document that contained a resolution. Atty. Anastasi explained that the resolution had not been adopted. The resolution had been referred to the Committee on June 2, 2014. Atty. Anastasi said that the City has a standing School Building Committee and the project would be referred to that Committee.

Council Member Torres said that every school construction project should have its own building committee. Atty. Anastasi said that the project could be referred to the standing Committee. He said that the practice through the years to the standing School Building Committee, but that there was nothing precluding the Committee from establishing a new one.

Rev. McBride-Lee asked how long would it take if a new school committee was appointed? Council President McCarthy said that he didn't know off hand. He added that he was not sure why the statement about June 2nd 2014 was included.

Council President McCarthy pointed out that tonight's motion was simply to allow the BOE to put an application in for the grant. Regarding the School Building Committee, the language seems to create a separate committee.

Atty. Anastasi asked Mr. Garcia what the time line was on the issue. Mr. Garcia said that if there was too much delay, then the City would miss the window of opportunity.

Council President McCarthy asked if the approval for the grant application could be given.

Judge Lopez interjected that she had some pertinent information on this issue. Atty. Anastasi said that there would have to be a vote to allow anyone to speak since Public Comment was not included on the agenda. He added that if the Committee was to establish a new building committee, that committee would have to establish a set of bylaws.

**\*\* COUNCIL MEMBER TORRES MOVED TO HAVE JUDGE LOPEZ TO ENLIGHTEN THE COMMITTEE ON WHAT SHE UNDERSTANDS TO BE PERTINENT INFORMATION.**

**\*\* COUNCIL MEMBER HALSTEAD SECONDED.**

**\*\* THE MOTION PASSED WITH THREE IN FAVOR (MCBRIDE-LEE, TORRES AND HALSTEAD) AND TWO AGAINST (MCCARTHY AND FELICIANO).**

Judge Lopez said that there was a Connecticut Office of State Facilities website that would set forth the school construction requirements. She listed the three requirements. The first one is for the City Council to grant permission to the Board of Education to file for that application and request the grant. She said that a Building Committee was usually established for each school project. Judge Lopez said that there had been the practice in the City of Bridgeport to have a standing Building Committee. From what Judge Lopez read, a separate Building Committee is established in each city and town for the individual projects to allow input from the parents, staff and other stakeholders. The third requirement in the resolution is the authorization to begin the schematic drawings for the project. Other towns usually approve a resolution that includes all three aspects rather than having three separate resolutions. Rev. McBride-Lee said that she had hoped Judge Lopez had done enough research that would allow the Committee to move forward on this project and allow Mr. Garcia to submit the grant application without forming another committee. Judge Lopez said that she did not think that the State would act on the grant application until all three requirements were met. She added that the State did not care who was on the committee, but that the City had created this standing Building Committee in 2001.

Rev. McBride-Lee asked Mr. Garcia if he could submit a grant application. Mr. Garcia said that Atty. Anastasi would be in a better position to answer the question. Atty. Anastasi said that he understood the Judge to be saying that in order to effectively pass a resolution to allow Mr. Garcia to submit the application, the resolution would need to be amended. He explained that when these have been submitted in the past, they have been submitted with supporting documentation. He said he understood the time constraints and was not sure if this needed to be acted upon by June 16th or could be held off until the first Council meeting in July to allow the work to be done in Committee rather than having the work done on the Council floor.

Council President McCarthy said that the Committee had already missed the Council agenda deadline, which was at 4:30 on Wednesday. He suggested that this meeting be recessed until just before the Council Meeting on June 16th. That would allow the corrections to be made on the resolution. He explained that the item could be held off to the July meeting but that might not meet the time constraints. Discussion followed about the details.

Council Member Halstead said that he was not comfortable with this issue since he had not seen any supporting documents. Mr. Garcia said that there would be supporting information provided. Council Member Halstead said that he was not comfortable with the Board of Education Building Committee and when the rules were not followed. There is a bigger issue here. This wasn't about the 80% - 20% or 60%- 40% reimbursement split. The bigger issue is how the City of Bridgeport does business and what kind of transparency there would be going forward. He said that he would be more comfortable establishing a separate building committee and start doing business the right way.

Council Member Halstead added that he was elected because the people did not like the way things had been done in the past and he did not like the way this was being done. Rev. McBride-Lee said that she felt that it was something that needed to be done legally and correctly.

Atty. Anastasi said for the record that he did not disagree with what the Judge said. He wished to point out that what was done previously was not illegal. The Committee could form a separate Building Committee or the Committee could vote to refer projects to the standing Building Committee. The important issue would be to take a vote to refer the project to a building committee. He said that he was not advising the Committee not to create a individual Building Committee, which is the Committee's decision. He said he wanted to make sure they understood that the standing Building Committee was not illegal.

Rev. McBride-Lee said that she did not think that Judge Lopez had implied that the City was doing this illegally, but that Council Member Halstead had implied that it was.

Council Member Halstead replied that he had not used the word illegal. He went on to state that he was not sure that this project was needed because he had not seen the details and the stake holders needed to be involved. There is a need to have transparency. He said that things need to be changed from the way that the City has been doing business.

Council Member Torres asked if there had been three bids yet. Mr. Garcia said that he did not have the authority to go out to bid yet. The current focus is on submitting the application to the State and see what they are willing to reimburse. Council Member Torres asked how the estimated cost was calculated. Mr. Garcia said that they had requested an estimate through the program manager's office.

Council Member Feliciano pointed out it sounded like it was a time sensitive project and asked if the project could be referred to the standing Building Committee and then move forward with the other method for the Bassick roof. Mr. Garcia said that his recommendation would be to refer this project to the standing Committee because there is a time constraint. He said that he assumed establishing another committee would take some time. Council Member Feliciano asked Atty. Anastasi if this could be done. Atty. Anastasi said yes if that was what the Committee wanted. He said that he understood the time sensitivity and also acknowledged the concerns expressed by the Council Members about moving in another direction. Council Member Feliciano said that there was already a Building Committee in place and the resolution stated that "a building committee must be established for the project." She added that it does not say that it did not say that if there was one in place, it could not be used. She asked if there was a way that the Committee could utilize the standing Building Committee for this project and then move forward with future projects with individual Building Committees.

Atty. Anastasi said that the standard language in prior resolutions stated that the Bridgeport School Building Committee is hereby established as the Building Committee with regards to a particular project as one of the resolves. He reiterated that the Committee could choose to move in either direction.

Judge Lopez said that she had made an FOI request for the information on all of this. She said that she had not yet seen the resolution from the City Council that said that the Council had established a Standing Building Committee. She said that there were bylaws and that there were various references to a building committee but that there was no resolution anywhere that establishes a standing Building Committee. There is a group that meets that calls themselves a Standing Building Committee. Items are sent to them and they act on them.

She said that Attorney Anastasi had complied with a portion of her request but she had not gotten a resolution that said that a building Committee was established. So, she said that it would be nice if there was a document that actually established one. There is one that meets and there are minutes. Judge Lopez said that she had attended some of their meetings, but she did not know how it exists by virtue of any order that was made by the City Council.

Rev. McBride-Lee said that the Committee would address this, but added that Council Member Feliciano had pointed out that this project was time sensitive.

**\*\* COUNCIL PRESIDENT MCCARTHY MOVED TO TABLE 106-13 WITH THE PROVISIO THAT THIS MEETING WILL BE RECESSED AND RECONVENE AGAIN BEFORE THE JUNE 16TH CITY COUNCIL MEETING.**

Atty. Anastasi reminded everyone that the Committee would have to take a second vote at the end of the meeting to recess for that purpose.

**\*\* COUNCIL MEMBER FELICIANO SECONDED**

**\*\* THE MOTION PASSED WITH FOUR IN FAVOR (MCCARTHY, FELICIANO, TORRES, AND MCBRIDE) AND ONE AGAINST (HALSTEAD).**

Rev. McBride-Lee asked Council President McCarthy what the procedure was when a meeting was recessed. Council President McCarthy reviewed the process with her.

**A Comprehensive Discussion re Bridgeport School Building Committee, including but not limited to the City Council resolution establishing a standing (permanent) school building committee, the By-Laws that govern the Building Committee and the appointment of members to the Committee.**

Rev. McBride-Lee asked who had submitted this item for the agenda. Council Member Halstead said that he had and added that he had not seen the original resolution for the School Building Committee. He also expressed concern about the fact that O&G has space in City Hall, acts as an advisor to the City and work on the schools.

Rev. McBride-Lee said that she wished to ask Mr. Bagley a question. Atty. Anastasi reminded her that this would require a vote. Rev. McBride-Lee said that she would like to know if the BOE had a Building Committee. Council President McCarthy said that the BOE has a School Facilities subcommittee and that Mr. Bagley was the chair of that subcommittee. Atty. Anastasi added that there were also representatives on the standing Building Committee.

**\*\* COUNCIL MEMBER HALSTEAD MOVED TO ALLOW THE COMMITTEE TO ASK MR. BAGLEY THESE QUESTIONS.**

Rev. McBride-Lee thanked Council Member Halstead, but said that she just wanted to know if the Board of Education had a School Building Committee. Council President McCarthy clarified that the standing School Building Committee has members from the Board of Education, the City Council and the Administration. He then explained that the Board of Education had their own Facilities Committee.

**\*\* THE MOTION TO ALLOW THE COMMITTEE FAILED DUE TO A LACK OF A SECOND.**

Council Member Torres said his reading of the State Law implied that there was a reason as to why the City would want to establish an individual School Building Committee for each individual project. He said that he believed this had to do with taking into consideration the feelings of the local community and also allowed for a different set of eyes analyzing the massive spending that is taking place. He said that he felt that the State was asking the City to be cognizant of the fact that they were giving Bridgeport a lot of money and there needed to be good oversight on these projects. He said that the Committee should be the process of exploring how to return to the pre-2001 process of establishing individual building committees

for each project. He reminded everyone that there were major school projects going on in Black Rock and that the Council Members and residents might have wanted to give input and be involved in those projects. Discussion followed.

Council President McCarthy said that this was a discussion item and that the Committee could not take any action on this item tonight, but they could refer something to the Council. He said that it would be important to talk with the people who are already on the Standing School Building Committee since there is a reason why certain people have been appointed to the Committee. He added that the Superintendent should also be asked what her opinion would be on this.

Council Member Torres said that it appeared that the Council had operated with the old system for many years, but then in 2001, they had switched to the standing building committee. He then asked Council President McCarthy how the committee assignments were made. Council President McCarthy gave a brief overview of how the committee assignments were made.

Atty. Anastasi said that it was his understanding that it was only in recent years that the significant school construction projects had been underway. He said that regardless of whether there was one main committee or multiple individual committees, it did not preclude individuals such as the School representatives or the Superintendent from serving on more than one committee. However, he reiterated Council President McCarthy's earlier explanation that there are probably certain appointments that are required to serve on whatever the Committee whether it be a standing committee or an individual committee. That is something that the Committee should explore.

Council Member Torres said that it would be good to have the District Council Members on the committee when the projects were being done in their District. Council Member Halstead said that it would be a good compromise by having the core committee but customizing it for the various Districts. He said that this should be referred to Committee and the full Council. Council Member Halstead said that he would like to have a vote on it tonight to refer it back to the Council. Atty. Anastasi explained that the committee could not take a vote tonight, but an individual Council Member could bring it up on the floor. Council Member Halstead said that there should also be a legal presentation about this.

Council President McCarthy said that Ms. Pivrotto had chaired the Committee for a long time and knew the process well. He said he was not against the idea of having the District Council Members involved in the Building Committee. He added that there was something to be said in terms of having expertise in doing projects like these, which tend to be complicated and difficult processes. There are many intricate issues, such as what can be approved or can't be approved for reimbursement in various areas like flooring types. This is why it is important to have people who understand the process on the Committee.

Council Member Torres said that he voted in favor of the resolution because he knew that a 30 year old roof was cooked and done. He said that he had never gotten a report about what the Building Committee had done since he has been on the Council. He suggested that the Committee should definitely consider the original resolution in order to understand how it was

done, what the constraints were on the original document and the other details involved. He said that he learned never to discount the knowledge that someone else might have.

Council Member Halstead said the Judge Lopez has already requested the resolution as an FOI request. He said that he would like to see this resolution also. Atty. Anastasi said that the City Clerk was the one who keeps the records and suggested that this request be made of their office. Judge Lopez said that she had already done this and that there was no record of it. Council Member Torres said that this would mean that all of the things that the City has been doing for a long time have not been legal in nature since no formal committee had been established.

Council Member Feliciano said that she agreed with some of the things that Council Member Torres had said and disagreed with others. She said that it sounds like the Board of Education has been updated and repairing the schools for a long time. However, this was not the case. It is clear that the schools are very old and needed a great deal of work. Apparently around 2001, all the problems started to surface with the roofs and the heating. She said that now, the Committee was looking into this. It doesn't matter whether it is on the City side or the Board of Education side. She said that when the State is offering 80% - 20% break, it means that this is less money the City has to put in. The more money that the State allocates for a project that is less money from the City's General Budget. This is why she voted in favor of the item. There have been weeks of discussion regarding the City Budget. People wanted to cut the budget here or there, but now the State was offering money and people are arguing about it.

Regarding the condition of the roofs, Council Member Feliciano said that her family has a small construction company and she can tell when a roof needs a repair or not. Council Member Torres said that he didn't disagree with anything that Council Member Feliciano said but that this was about moving forward and giving the local building committee a degree of oversight. He said that it seemed to him that in light of what the State is asking the City to do, that the Council add to that a level of diversity to the process. It gives better insurance that things are going well. He added that all twenty Council Members could not be complicit against the State in some way. If it always the same group of people, then there could be problems. He pointed out that both he and Council Member Feliciano attend a significant number of Committee meetings together. There are a lot of Council Members that don't attend the Committee meetings. He said that he would be worried if the Council Members who were assigned to the School Building Committee didn't attend the meetings. He said that he thought the State really wants the City to establish individual Committees for large projects and did not see anything wrong with it. It is a healthy thing for the City to do.

Council Member Halstead said that he looked into the School Building Committee records and said that he saw things that behooves him to say that it needs to be examined. He said that one example would be the fact that one transcript from one meeting cost \$10,000. He said that this might be the tip of the iceberg.

**RECESS**

**\*\* COUNCIL PRESIDENT MCCARTHY MOVED TO RECESS THE MEETING OF THE EDUCATION AND SOCIAL SERVICES COMMITTEE TO MONDAY, JUNE 16TH, AT 5:30 P.M. TO CONSIDER ITEM 106-13.**

**\*\* COUNCIL MEMBER FELICIANO SECONDED.**

**\*\* THE MOTION TO RECESS THE MEETING OF THE EDUCATION AND SOCIAL SERVICES COMMITTEE TO MONDAY, JUNE 16TH, AT 5:30 P.M. PASSED UNANIMOUSLY.**

The meeting recessed at 7:47 p.m.

Respectfully submitted,

Sharon L. Soltes  
Telesco Secretarial Services